

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**LOY HOLDER,  
ADC #114988**

**PLAINTIFF**

**v.**

**CASE NO. 5:13CV00229-BSM**

**MARK CASHION, et al.**

**DEFENDANTS**

**ORDER**

The proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney and the objections filed by the plaintiff have been reviewed. After careful consideration and a *de novo* review of the record, it is found that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's amended complaint [Doc. No. 4] against defendants is dismissed, for failure to state a claim upon which relief may be granted.
2. Dismissal of this action constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).
3. It is certified that an *in forma pauperis* appeal from an order and judgment dismissing this action would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED this 28th day of October 2013.

  
UNITED STATES DISTRICT JUDGE